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| EXAMINER |
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REKSTAD, ERICK J

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| ART UNIT | PAPER NUMBER |
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2613

DATE MAILED: 04/15/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/788,091

Applicant(s)

WILLIAMS, MICHAEL R.

Examiner

Erick Rekstad

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☒ Claim(s) 8,9 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claims 8, 9 and 15 objected to because of the following informalities:

Claim 8 states "ans", it should be "and".

Claim 9 states "ingition", it should be "ignition".

Claim 15 states "eleminating", it should be "eliminating".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 2, 3, 9, 10 and 15 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by US Patent 6,421,081 to Markus.

[claims 1 and 15]

As shown in Figures 3-5, Markus teaches a system and device providing a real time display to the rear of a large vehicle (18, Fig. 3) having a normal blind spot to its rear, said system comprising:

a display assembly mounted in close proximity to the driver for easy viewing by the driver (32, Fig. 4);

a camera assembly mounted at a top rear portion of the vehicle (12, Fig. 3);

a control unit for controlling the several functions of the camera assembly (57-60, Fig. 4) (Col 7 Lines 15-65, Figs. 3-5).

[claim 2]

Markus teaches the plurality of controls (60, Fig. 4) includes adjusters for focus for the video camera (Col 7 Lines 60-62).

[claim 3]

Markus teaches the plurality of controls (60, Fig. 4) includes adjusters for the vertical and horizontal position for the video camera (Col 7 Lines 60, 62). Markus further teaches the camera can span 90 degrees in the vertical direction and 180 degrees in the horizontal direction (Col 8 Lines 26-30, Fig. 5).

[claim 9]

Markus teaches the system tied into the ignition of the vehicle and enabled only when the ignition is turned on (Col 8 Lines 2-10).

[claim 10]

Markus teaches the system wherein said display assembly and said camera assembly are connected by electrical cables (Col 8 Lines 11-14, Fig. 5).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Markus in view of US Patent 5,680,123 to Lee.

[claim 4]

Markus teaches the system of claim 1 as shown above. Markus further teaches the controlling of the vertical and horizontal movement of the camera (Col 7 Lines 60, 62). Markus does not teach the camera having a zoom feature. Lee teaches the camera equipped with a zoom lens in order to provide a close up view of the surrounding region (Col 6 Lines 2-4). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system and camera controls of Markus with the zoom feature of Lee in order to provide a closer view of the surrounding region.

Claims 5 and 12 rejected under 35 U.S.C. 103(a) as being unpatentable over Markus in view of US Patent 5,793,308 to Rosinski et al.

[claim 5]

Markus teaches the system of claim 1 as shown above. Markus does not teach the defogging/defrosting means. Rosinski teaches the use of a heater in order to reduce condensation (Col 5 Lines 24-35). It is well known in the art to control a

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defroger/defroster with a switch in a vehicle (Official Notice). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Markus with the heater of Rosinski in order to reduce condensation.

[claim 12]

Markus teaches the system of claim 1 as shown above. Markus further teaches the camera located at the rear of the large vehicle (Fig. 3). Markus does not teach the camera located at the upper rear edge of the vehicle. Rosinski teaches the camera located at the upper rear edge of the vehicle in order to be used as a taillight (Col 4 Lines 1-10, Figs. 4C, 8D, and 9A). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Markus with the camera location of Rosinski in order to put the camera in a taillight.

Claims 6, 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Markus in view of US Patent 6,259,475 to Ramachandran et al.

[claim 6]

Markus teaches the system of claim 1 as shown above. Markus does not teach the use of a wiper means and controls for turning on and off the wiper means.

Ramachandran teaches the use of a wiper means and controls for the operation of the wiper in order to clean the lens (Col 15 Lines 31-67, Col 16 Lines 1-9, Figs. 16 and 17).

[claim 11]

Markus teaches the system of claim 1 as shown above. Markus does not teach the use of a wireless connection between the display and the camera. Ramachandran teaches the use of a wireless connection between a display and a camera in order to

provide monitoring from another area or vehicle that is not physically connected to the vehicle being monitored (Col 4 Lines 30-35, Col 11 Lines 13-44, Figs. 7-11). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Markus with the transmission system of Ramachandran in order to provide monitoring from another vehicle.

[claim 13]

Markus teaches the system of claim 1 as shown above. Markus does not teach the use of a digital camera. Ramachandran teaches the use of a CCD camera for use in conditions of low light and severe brightness conditions (Col 11 Lines 31-44, Figs. 8-11). It is well known in the art that a CCD camera is a digital camera (Official Notice). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Markus with the CCD camera of Ramachandran in order to provide a camera that can handle low light and severe brightness conditions.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Markus in view of US Patent 4,937,796 to Tendler.

[claim 7]

Markus teaches the system of claim 1 as shown above. Markus does not teach the use of a protective shield that can be raised or lowered by the control unit. Tendler teaches the use of a protective shield that can be raised or lowered by a control unit in order to protect against environmental contamination (Col 4 Lines 66-68, Col 5 Lines 1-23, Fig. 2).

Claims 8 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Markus in view of US Patent 5,467,106 to Salomon.

[claims 8 and 14]

Markus teaches the system of claim 1 as shown above. Markus further teaches the controls and the display are separate (Fig. 5). Markus does not teach the monitor being an LCD. Markus does not teach the monitor means mounted on said housing for movement between a storage position within said housing and a display position depending from said housing. Salomon teaches the use of a compact light weight, retractable LCD monitor that is capable of being stowed screen up in order to protect against possible damage (Col 1 Lines 11-21 and 39-61, Col 2 Lines 50-57, Fig. 3). It would have been obvious to one of ordinary skill in the art at the time of the invention that an airplane is a large vehicle. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Markus with the LCD monitor of Salomon in order to provide a compact light weight retractable monitor that can be protected from possible damage when not in use.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erick Rekstad whose telephone number is 703-305-5543. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 703-305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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